

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

JOHN JEFFREY RICHARD,
Petitioner,

v.

DOUG DRETKE, DIRECTOR,
TEXAS DEPARTMENT OF CRIMINAL
JUSTICE—INSTITUTIONAL DIVISION,
Respondent.

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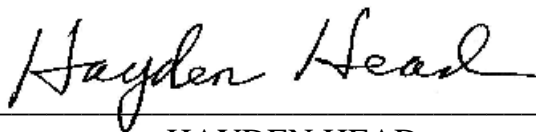
C.A. NO. C-04-609

**MEMORANDUM OPINION AND ORDER GRANTING RESPONDENT'S
MOTION FOR SUMMARY JUDGMENT**

On June 2, 2005, the United States Magistrate Judge filed her Memorandum and Recommendation in this cause (D.E. 22). Objections were timely filed (D.E. 24), but have no merit. Having reviewed *de novo* the Magistrate Judge's memorandum and recommendation and the pleadings on file, this Court hereby adopts as its own the findings and conclusions of the Magistrate Judge.

Accordingly, respondent's Motion for Summary Judgment (D.E. 12) is GRANTED, and petitioner's cause of action for habeas corpus relief is DISMISSED. Petitioner's Certificate of Appealability is DENIED.

ORDERED this 9th day of August, 2005.



HAYDEN HEAD
CHIEF JUDGE